

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RHONDA WOITOVICH,

Plaintiff,

-v-

LYDIA SCHOENFELD and MORGAN STANLEY
SMITH BARNEY, LLC,

Defendants.
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22-CV-1742 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On May 9, 2022, Defendant Lydia Schoenfeld filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Plaintiff was ordered to file any amended complaint, or any opposition to the motion to dismiss, **by May 31, 2022**. On May 27, 2022, Defendant Morgan Stanley Smith Barney LLC filed a motion to compel arbitration, or in the alternative, to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has twenty-one (21) days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

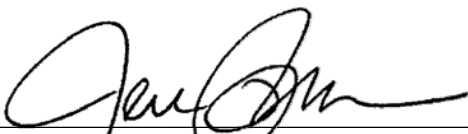
Accordingly, it is hereby ORDERED that Plaintiff's deadline to amend the complaint is extended to **June 14, 2022, to allow Plaintiff to file a single amended complaint with respect to both motions. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by these motions to dismiss.**

If Plaintiff does amend, by three (3) weeks after the amended complaint is filed, Defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that it relies on the previously filed motion to dismiss. If Defendants file an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If Defendants files a new motion to dismiss, any opposition shall be filed within fourteen days, and any reply shall be filed within seven days of any opposition.

If no amended complaint is filed, Plaintiff shall file any opposition to the motion to dismiss by **June 17, 2022**. Defendant's reply, if any, shall be filed by **June 24, 2022**.

SO ORDERED.

Dated: May 31, 2022
New York, New York



JESSE M. FURMAN
United States District Judge